

Notice of Allowability	Application N .	Applicant(s)
	10/045,317	GAO ET AL.
	Examiner	Art Unit
	Sung H. Pak	2874

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to Amendment filed 9/22/2003.
2. The allowed claim(s) is/are 1-6,8-26.
3. The drawings filed on 07 November 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

Allowable Subject Matter

Claims 1-6, 8-26 are allowed.

The following is an examiner's statement of reasons for allowance:

Polymer optical waveguides comprising polymer substrate, polymer cladding and polymer core, are well known in the art. Also, polymer optical waveguides utilizing perhalogenated polymer is known in the art. Xu et al (US 2003/0207215 A1), for example, discloses the use of perhalogenated polymer *core* for transmitting optical signals (abstract).

However, none of the prior art fairly teaches or suggests a polymer optical waveguide comprising perhalogenated polymer *cladding*, wherein the coefficient of thermal expansion of the base substrate and the perhalogenated polymer cladding differs by less than 40%.

There are prior art references that teach the use of base substrate and the cladding having coefficients of thermal expansion similar to each other. Boek et al (US 6,418,261 B1) reference, for example, teaches that the coefficient of thermal expansion for the underclad layer may be equal to the coefficient of thermal expansion of the substrate (column 3 lines 4-5). Suhir (US 6,389,209 B1) also teaches that the coefficient of thermal expansion of the substrate may be the same as the coefficient of thermal expansion of the cladding and the core (claim 1).

Nevertheless, none of the prior art utilizes *polymer waveguide device*. None of the prior art fairly teaches or suggests how and why any one of ordinary skill in the art would make a polymer substrate and perhalogenated polymer cladding have coefficient of expansion differing by less than 40%.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sung H. Pak whose telephone number is (571) 272-2353. The examiner can normally be reached on Monday - Thursday : 6:30am- 5:00pm.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sung H. Pak
Examiner
Art Unit 2874

sp

John D. Lee
Primary Examiner